

House File 2280

H-8140

1 Amend House File 2280 as follows:  
2 1. Page 1, line 3, after <scope> by inserting <of  
3 this chapter>  
4 2. Page 4, by striking lines 14 through 21 and  
5 inserting:  
6 <a. For the issuance or renewal of a certificate  
7 of registration for a privately owned pound that sells  
8 dogs or cats, fifteen dollars.  
9 b. For the issuance or renewal of a state license  
10 for a commercial establishment the following:  
11 (1) A boarding kennel, thirty dollars.  
12 (2) A commercial breeder, forty dollars. However,  
13 a commercial breeder who owns, keeps, breeds, or  
14 transports a greyhound dog for pari-mutuel wagering  
15 at a racetrack as provided in chapter 99D shall pay a  
16 different fee for the issuance or renewal of a state  
17 license as provided in rules adopted by the department.  
18 (3) A commercial kennel, forty dollars.  
19 (4) A dealer, one hundred dollars.  
20 (5) A pet shop, fifty dollars.  
21 (6) A public auction, forty dollars.  
22 c. For the issuance or renewal of a permit for a  
23 commercial establishment, twenty dollars.>  
24 3. Page 4, by striking lines 22 through 28 and  
25 inserting:  
26 <\_\_\_\_. The fees collected by the department shall be  
27 deposited into the commercial establishment compliance  
28 fund created pursuant to section 162.2C.>  
29 4. Page 4, before line 29 by inserting:  
30 <Sec. \_\_\_\_\_. NEW SECTION. 162.2C Commercial  
31 establishment compliance fund.  
32 A commercial establishment compliance fund is  
33 created in the state treasury under the control of the  
34 department.  
35 1. The fund shall consist of moneys appropriated  
36 to the department, fees collected by the department  
37 pursuant to section 162.2B, civil penalties collected  
38 by the department pursuant to section 162.12A, and  
39 other moneys placed in the fund by the department.  
40 2. The moneys in the fund are appropriated to the  
41 department for the exclusive purpose of administering  
42 and enforcing the provisions of this chapter.  
43 3. Notwithstanding section 12C.7, interest or  
44 earnings on moneys in the fund shall be credited to the  
45 fund. Notwithstanding section 8.33, moneys credited  
46 to the fund that remain unexpended or unobligated at  
47 the end of a fiscal year shall not revert to any other  
48 fund.>  
49 5. Page 7, line 4, after <state.> by inserting  
50 <A dealer shall not knowingly ship a diseased animal.

1 Each instance of shipping a diseased animal in  
2 violation of this section is a separate offense.>  
3 6. Page 11, line 35, by striking <general fund  
4 of the state> and inserting <commercial establishment  
5 compliance fund created pursuant to section 162.2C>  
6 7. Page 12, line 6, after <chapter.> by inserting  
7 <However, a commercial establishment that violates  
8 the same element of a standard of care as provided in  
9 section 162.10A twice in a twenty-four-month period  
10 is subject to a civil penalty of not more than one  
11 thousand dollars.>  
12 8. Page 12, line 30, after <chapter.> by inserting  
13 <However, a commercial establishment that violates  
14 the same element of a standard of care as provided in  
15 section 162.10A twice in a twenty-four-month period  
16 is subject to a civil penalty of not more than two  
17 thousand dollars.>  
18 9. Page 14, after line 11 by inserting:  
19 <Sec. \_\_\_\_\_. Section 717B.1, Code 2009, is amended by  
20 adding the following new subsection:  
21 NEW SUBSECTION. 7A. "Pound" means the same as  
22 defined in section 162.2.  
23 Sec. \_\_\_\_\_. Section 717B.2, unnumbered paragraph 1,  
24 Code 2009, is amended to read as follows:  
25 A person is guilty of animal abuse if the person  
26 intentionally injures, maims, disfigures, or destroys  
27 an animal owned by another person, in any manner,  
28 including intentionally poisoning the animal. A person  
29 guilty of animal abuse is guilty of an aggravated  
30 misdemeanor. The person is also subject to a civil  
31 penalty not to exceed two hundred dollars. This  
32 section shall not apply to any of the following:  
33 Sec. \_\_\_\_\_. Section 717B.3, subsection 3, Code 2009,  
34 is amended to read as follows:  
35 3. A person who negligently or intentionally  
36 commits the offense of animal neglect is guilty of a  
37 simple misdemeanor. A person who intentionally commits  
38 the offense of animal neglect which results in serious  
39 injury to or the death of an animal is guilty of a  
40 serious misdemeanor. The person is also subject to a  
41 civil penalty not to exceed one hundred dollars.  
42 Sec. \_\_\_\_\_. Section 717B.3A, subsection 3, paragraph  
43 a, subparagraphs (1) and (2), Code 2009, are amended  
44 to read as follows:  
45 (1) For the first conviction, the person is guilty  
46 of an aggravated misdemeanor. The sentencing order  
47 shall provide that the person submit to psychological  
48 evaluation and treatment according to terms required by  
49 the court. The costs of the evaluation and treatment  
50 shall be paid by the person. In addition, the

1 sentencing order shall provide that the person complete  
2 a community work requirement, which may include a work  
3 requirement performed at an animal shelter or pound, as  
4 defined in section 162.2, according to terms required  
5 by the court. The person is also subject to a civil  
6 penalty not to exceed two hundred dollars.

7 (2) For a second or subsequent conviction,  
8 the person is guilty of a class "D" felony. The  
9 sentencing order shall provide that the person submit  
10 to psychological evaluation and treatment according  
11 to terms required by the court. The costs of the  
12 psychological evaluation and treatment shall be paid  
13 by the person. The person is also subject to a civil  
14 penalty not to exceed five hundred dollars.

15 Sec. \_\_\_\_\_. NEW SECTION. 717B.7 Court ordered  
16 donation.

17 In a case in which a person is found liable to pay  
18 a civil penalty for committing animal abuse pursuant  
19 to section 717B.2, animal neglect pursuant to section  
20 717B.3, or animal torture pursuant to section 717B.3A,  
21 the court shall order the person to pay the civil  
22 penalty to the clerk of court who shall transmit the  
23 civil penalties to a pound operating in the county as a  
24 donation, as provided in the court's order.>

25 10. Page 16, after line 20 by inserting:

26 <Sec. \_\_\_\_\_. DEPARTMENT OF AGRICULTURE AND LAND  
27 STEWARDSHIP ENFORCEMENT. It is the intent of the  
28 general assembly in enacting this Act that the  
29 department of agriculture and land stewardship actively  
30 enforce the provisions of chapter 162, as amended in  
31 this Act, with respect to any commercial establishment  
32 that is operating without authorization as required by  
33 chapter 162, as amended by this Act.>

34 11. By renumbering as necessary.

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HAGENOW of Polk